

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

S&S HEALTHCARE STRATEGIES, LTD., an Ohio limited liability company,
Plaintiff,
v.
THREE RIVERS PROVIDER NETWORK, INC.,
Defendant.

Case No. 1:17-cv-00783
Judge William O. Bertelsman
STIPULATION OF PARTIES

Now come the parties, by and through and counsel, and hereby stipulate to the following:

1. Effective August 2, 2018, in connection with the sale of the Plaintiff, S&S Healthcare Strategies, Ltd. (“Healthcare”), all rights, entitlement, and obligations in and to all, remedies, claims, actions and recoveries due or to become due from Defendant Three Rivers Provider Network, Inc. (“TRPN”), arising out of or relating to this litigation have been assigned by Healthcare to S&S Holdco, Inc., an Ohio corporation (“Holdco”);
2. With respect to the claims raised by TRPN against Healthcare, which are captioned as counterclaims and are expressly denied by Healthcare and Holdco (the “Counterclaims”), Healthcare and Holdco, following waiver or exhaustion of any appeal rights and any rights of setoff, shall be jointly and severally liable for any final judgment obtained by TRPN arising out of the Counterclaims;
3. Holdco shall be substituted as the party Plaintiff for Healthcare, and the case caption shall be amended accordingly;
4. Despite the substitution, both Healthcare and HoldCo will be named on the jury verdict form as Counterclaim Defendants and/or Responsible Parties with respect to TRPN’s Counterclaim.

5. Healthcare shall remain subject to and obligated by all federal and local rules of civil procedure regarding discovery as if Healthcare had remained a party to this litigation, including but not limited to Rules 26 through 37 of the Federal Rules of Civil Procedure, and each of the other parties shall serve discovery directed to Healthcare to the undersigned counsel for Healthcare;
6. Notwithstanding the foregoing, Healthcare shall remain subject to the jurisdiction and rulings of this Court regarding discovery in this litigation directed to Healthcare, as if Healthcare had remained a party to this litigation;
7. Healthcare shall be permitted to have separate counsel present and participate in the defense of any deposition of any current Healthcare employees and/or any on-site inspection of Healthcare's software and otherwise respond to discovery on its behalf;
and
8. The firm of Stagnaro, Saba & Patterson Co., L.P.A. and its attorneys shall be deemed to have withdrawn as counsel for Healthcare in this case, effective as of the date the court issues an order approving and adopting this stipulation. To the extent necessary, service of any discovery requests, notices or motions upon Healthcare is deemed perfected if made c/o Marcia Boyd, Esq.; BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, PC, Baker Donelson Center, Suite 800, 211 Commerce Street, Nashville, TN 37201, mboyd@bakerdonelson.com.

AGREED TO BY:

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ACKNOWLEDGED AND AGREED TO BY:

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